



JCO5 Rec'd PCT/PTO 29 MAR 2002

**Certification under 37 CFR 1.8(a)**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with The United States Postal Service with sufficient postage as first class mail in an envelope addressed to The Assistant Commissioner of Patents, Washington, D.C. 20231 on March 21, 2002.

Brian W. Hameder (Reg. No. 45,613)  
Name

Brian W. Hameder  
Signature

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DOCKET: CU-2782

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Olivier CARLI

Serial No.: 10/009,998

Group Art Unit:

Filed: December 14, 2001

Examiner:

For: AN IMPLANT FOR AN OSTEOSYNTHESIS DEVICE IN PARTICULAR FOR THE SPINE

THE ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT WITHIN THREE MONTHS OF  
FILING OR BEFORE MAILING OF FIRST OFFICE ACTION**

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of the first Office Action on the merits, whichever event occurs last. 37 CFR 1.97(b).

Date: March 21, 2002

Brian W. Hameder

Signature of Attorney  
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**INFORMATION DISCLOSURE STATEMENT**

Applicants submit herewith patents, publications or other information of which the applicants are aware, which may be material to the examination of this application and in respect of which there may be a duty to disclose under 37 CFR 1.56.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 CFR 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

The references submitted herein are listed on PTO-1449 form (modified) enclosed herewith. A copy of each reference listed is being furnished except any duplicate or cumulative patents or publications specified otherwise.

A translation of any foreign language reference, if any, is indicated in PTO-1449 form and being submitted herein if it is readily available. Otherwise it should be construed that such translation is not readily available.

Also submitted herein is a copy of the International search report which satisfies the requirement for a translation or concise explanation of any non-English reference cited therein, as provided in MPEP §609 A(3).

Additional comments, if any, on the relevance of each reference listed are provided as follows:

The Statement is made on the basis of the information:

|                   |  |
|-------------------|--|
| <u>          </u> | supplied by the inventor(s);   |
| <u>  X  </u>      | supplied by an individual associated with the filing and prosecution |
| <u>          </u> | of this application (37 CFR 1.56(c)); or                             |
|                   | in the attorney's file.  |

Respectfully submitted,



Date: March 21, 2002

Signature of Attorney  
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MAR 29 2002

**GROUP**

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| EXAMINER<br>INITIAL |    | DOCUMENT NUMBER |   |    |   |   |   |   |          | PUBLICATION<br>DATE | COUNTRY OR<br>PATENT OFFICE | CLASS | SUB-<br>CLASS | TRANSLATION |  |
|---------------------|----|-----------------|---|----|---|---|---|---|----------|---------------------|-----------------------------|-------|---------------|-------------|--|
|                     |    | YES             | I | NO |   |   |   |   |          |                     |                             |       |               |             |  |
| JH                  |    | 4               | 4 | 2  | 5 | 3 | 5 | 7 | 2/1/96   | Germany             |                             |       |               |             |  |
|                     | WO | 9               | 8 | 4  | 1 | 1 | 5 | 9 | 09/24/98 | PCT                 |                             |       |               |             |  |
|                     | WO | 9               | 8 | 3  | 4 | 5 | 5 | 4 | 08/13/98 | PCT                 |                             |       |               |             |  |
|                     |    | 0               | 8 | 3  | 6 | 8 | 3 | 5 | 04/22/98 | European            |                             |       |               |             |  |
|                     |    |                 |   |    |   |   |   |   |          |                     |                             |       |               |             |  |

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DATE CONSIDERED

(Form PTO-1449)